



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/677,445      | 09/29/2000  | Ronald R. Martinsen  | 2710                | 4420             |

7590 10/07/2003

Michalik & Wylie, PLLC  
Suite 103  
14645 Bel-Red Road  
Bellevue, WA 98007

|          |
|----------|
| EXAMINER |
|----------|

NGUYEN, NHON D

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2174

DATE MAILED: 10/07/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/677,445

Applicant(s)

MARTINSEN ET AL.

Examiner

Nhon (Gary) D Nguyen

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Guthrie (US 6,266,681).

As per independent claim 1. Guthrie teaches in a computer system, a method comprising:  
interpreting a page, the page comprising:

an import instruction that references a behavior component, an element linked to the behavior component; (col. 5, lines 14-18 and lines 33-34); and

determining a behavior of the element on the page by instantiating the behavior component in accordance with the import instruction prior to interpreting the element (col. 5, lines 26-29).

As per claim 2, which is dependent on claim 1, it is inherent in Guthrie's HTML/Web system that the element is must be associated with a namespace in the page.

Art Unit: 2174

As per claim 3, which is dependent on claim 2, Guthrie teaches wherein the behavior component comprises a name for creating a custom element that may be linked to the behavior component, and wherein a syntax for the element comprises a reference to the name (col. 13, line 16 – col. 14. line 17).

As per claim 4, which is dependent on claim 3, it is inherent in Guthrie's HTLL/Web system that the syntax for the element further comprises a reference to the namespace.

As per claim 5, which is dependent on claim 1, Guthrie teaches the behavior component comprises a name or creating a custom element that may be linked to the behavior component, and wherein a syntax for the element comprises a reference to the name (col. 13, line 16 – col. 14. line 17).

As per claim 6, which is dependent on claim 1, since the behavior component, which is injected into the HTML code, is written in Javascript, it is inherent in Guthrie's system that the behavior component is instantiated in accordance with a thread, and wherein the import instruction causes at one other thread to cease while instantiating the behavior component (col. 4, lines 1-2).

As per claims 7 and 8, which are dependent on claims 1 and 7, Guthrie teaches binding the element to the behavior component and wherein the element is bound synchronously to the behavior component (col. 5, lines 35-58).

As per claim 9, which is dependent on claim 1, Guthrie teaches the behavior component comprises content, and wherein instantiating the behavior component comprises inserting the content into the page (col. 6, lines 29-40).

As per claim 10, which is dependent on claim 9, Guthrie teaches interpreting the page comprises creating a document structure, wherein instantiating the behavior component comprises creating a document fragment including content, and wherein inserting the content into the page comprises inserting the document fragment into the document structure (col. 6, line 41 – col. 7, line 19).

As per claim 11, which is dependent on claim 1, it is rejected under the same rationale as claim 10.

As per claim 12, which is dependent on claim 1, Guthrie teaches interpreting the page comprises creating a document structure, and wherein instantiating the behavior component comprises, creating a document fragment; and maintaining the document fragment separate from the document structure (col. 6, line 41 – col. 7, line 19).

As per claim 13, which is dependent on claim 12, it is inherent in Guthrie's system that the element comprises a pointer to the document fragment.

Art Unit: 2174

As per claims 14 and 15, which are dependent on claims 13 and 14 respectively, Guthrie teaches the document fragment comprises content, and wherein interpreting the page comprises inserting the content into the page, wherein inserting the content into the page comprises inserting the content into the position of the element in the page (col. 6, lines 25-40).

As per claim 16, which is dependent on claim 1, Guthrie teaches the behavior component comprises script (col. 4, lines 1-2).

As per claim 17, which is dependent on claim 16, Guthrie teaches the behavior component comprises an HTC file (col. 6, lines 41-48).

As per independent claim 18, it is rejected under the same rationale as claims 1 and 12.

As per claim 19, which is dependent on claim 18, it is rejected under the same rationale as claim 13.

As per claim 20, which is dependent on claim 19, Guthrie teaches the interpreting the page comprises applying a behavior of the behavior component to the element (col. 5, lines 25-34).

As per claim 21, which is dependent on claim 19, it is rejected under the same rationale as claim 14.

As per claim 22, which is dependent on claim 21, it is rejected under the same rationale as claim 15.

As per claim 23, which is dependent on claim 18, it is rejected under the same rationale as claim 14.

As per independent claim 24, Guthrie teaches a computer-readable medium having computer executable instructions, comprising:

linking an element placed in a page to a behavior component, the behavior component including content therein; interpreting the page to form a document structure (col. 5, lines 14-18 and lines 33-34);

when interpreting the element, instantiating the behavior component to determine a behavior of the element on the page, the behavior including a pointer to the content (col. 5, lines 26-29);

instantiating the behavior component to create a document fragment, the document fragment maintained separately from the document structure (col. 6, line 41 – col. 7, line 19);

accessing the content via the pointer; and inserting the content into a representation of the page (col. 6, lines 25-40).

As per independent claim 25, Guthrie teaches a computer-readable medium having computer executable components comprising:

Art Unit: 2174

a behavior component (col. 5, line 14-18 and line 34);

an import instruction component in a page, the import instruction configured to call for instantiation of the behavior component during a parsing of the page and further configured to associate the behavior component with the page (col. 5, lines 14-18 and lines 33-34, and col. 8, lines 9-34);

an element in the page that is defined by a behavior of the behavior component and configured such that, during the parsing of the page, the element binds with the behavior component and applies the behavior (col. 5, lines 26-29, and col. 8, lines 9-34).

As per claim 26, which is dependent on claim 25, it is inherent in Guthrie's system that the behavior component comprises an instruction component configured such that during the parsing of the page, static content within the element is not parsed.

As per claims 27 and 28, which are dependent on claims 26 and 27 respectively, Guthrie teaches an executable file for accessing the content within the element, wherein the executable file comprises scripts (col. 11, lines 1-30).

As per independent claim 29, Guthrie teaches a computer-readable medium having computer-executable instructions comprising:

interpreting a page, the page comprising an instantiation instruction that calls for instantiation of a behavior component, the behavior component comprising a parsing instruction (col. 5, lines 14-18 and lines 33-34, and col. 8, lines 9-34); and



Art Unit: 2174

instantiating the behavior component in accordance with the instantiation instruction, the instantiation precluded by the parsing instruction from parsing static content in the behavior component (col. 5, lines 26-29, and col. 8, lines 9-34).

### *Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6411988 B1 to Tafoya, John E. et al. discloses method and system for presentation conferencing.

US 6347398 B1 to Parthasarathy, Srivatsan et al. discloses automatic software downloading from a computer network.

US 6397217 B1 to Melbin, Julie A. discloses hierarchical caching techniques for efficient dynamic page generation.

### *Inquiries*

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2174

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nhon (Gary) Nguyen  
September 26, 2003

*Kristine Kincaid*  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100